

AMENDED IN ASSEMBLY JUNE 19, 2012

AMENDED IN SENATE MAY 14, 2012

AMENDED IN SENATE APRIL 23, 2012

AMENDED IN SENATE APRIL 10, 2012

AMENDED IN SENATE MARCH 22, 2012

**SENATE BILL**

**No. 1107**

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**Introduced by Senator Berryhill**

February 17, 2012

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An act to add Section 1065 to the Fish and Game Code, relating to entitlements.

LEGISLATIVE COUNSEL'S DIGEST

SB 1107, as amended, Berryhill. Automated License Data System: nonprofit conservation organizations.

Under existing law, all licenses, permits, tags, reservations, and other entitlements authorized by the Fish and Game Code are prepared and issued by the Department of Fish and Game or an authorized license agent. Existing law authorizes specified persons to obtain tags or stamps for the taking of specific animals or aquatic species, if certain requirements are met. Existing law authorizes the Fish and Game Commission to require and prescribe the form of applications for licenses, permits, tags, reservations, and other entitlements and the form of any contrivance to be used in connection therewith. An existing regulation defines the Automated License Data System as an automated system that replaced the department's paper license inventory system.

This bill would require the department, if it determines that a nonprofit conservation organization meets specified eligibility requirements and

~~submits a prescribed letter annually, as defined, that seeks promotion, exposure, and awareness of the organization, is eligible, to include the nonprofit conservation organization's logo or other graphics in a space with a link to the organization's Internet Web site home page on the Automated License Data System Online License Service Internet Web site (ALDS Web site) for a time period agreed upon by the department and the organization. The bill would authorize the department to impose a charge on a nonprofit conservation organization for inclusion on the Automated License Data System ALDS Web site, and would prohibit that charge from exceeding the reasonable costs of administering these provisions. The bill would require the department to deposit revenues of the charge in the Fish and Game Preservation Fund, to be available, upon appropriation by the Legislature, exclusively to pay all initial and ongoing costs associated with the direct administration of these provisions. The bill would require the department to implement the links from the ALDS Web site by January 1, 2015, if it determines that date is feasible.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1065 is added to the Fish and Game Code,  
2 to read:  
3 1065. (a) A nonprofit conservation organization seeking  
4 promotion, exposure, and awareness of the organization on the  
5 Automated License Data System *Online License Service Internet*  
6 *Web site, as feasible, through means, including, but not limited*  
7 ~~to,~~ the display of the organization's logo ~~and, or other graphics~~  
8 ~~agreed upon by the organization and the department, the~~  
9 ~~opportunity for to give a prospective license buyer the opportunity~~  
10 to link electronically to the organization's Internet Web site home  
11 page, shall ~~annually submit, in a manner determined by the~~  
12 ~~department, submit, by September 30 of each year,~~ a letter to the  
13 department providing evidence that the organization meets the  
14 criteria set forth in subdivision (c). If the department determines  
15 that the nonprofit conservation organization is eligible, it shall  
16 include the organization's logo *or other graphics* in a space with  
17 a link to the organization's Internet Web site home page on the

1 Automated License Data System *Online License Service Internet*  
2 *Web site* for a time period agreed upon by both parties.

3 (b) The department may impose a charge on a nonprofit  
4 conservation organization for inclusion on the Automated License  
5 Data System *Online License Service Internet Web site* pursuant to  
6 subdivision (a) that shall not exceed the ~~reasonable~~ costs associated  
7 with the direct administration of this section.

8 (c) As used in this section, “nonprofit conservation organization”  
9 means an entity that the department determines meets all of the  
10 following:

11 (1) It is a nonprofit organization described in Section 501(c)(3)  
12 of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)), that is  
13 exempt from taxation under Section 501(a) of that code (26 U.S.C.  
14 Sec. 501(a)).

15 (2) It is registered with the Attorney General.

16 (3) Its goals and objectives are related to the conservation of  
17 sport fish or game species.

18 (4) In at least one of the previous three calendar years, it has  
19 entered into, or been obligated under, a contract or other agreement,  
20 including, but not limited to, a license, easement, memorandum  
21 of understanding, or lease, with the department to perform habitat  
22 or other wildlife conservation work, to provide hunting or fishing  
23 opportunities for the public, to raise funds on behalf of the  
24 department, including, but not limited to, the sale of hunting  
25 fundraising tags or related items, or to otherwise provide assistance  
26 to the department that is consistent with the department’s mission.

27 (d) *The department shall deposit revenues of the charge imposed*  
28 *pursuant to subdivision (b) in the Fish and Game Preservation*  
29 *Fund, to be available, upon appropriation by the Legislature,*  
30 *exclusively to pay all initial and ongoing costs associated with the*  
31 *direct administration of this section, including, but not limited to,*  
32 *a portion of the costs of making changes to the Automated License*  
33 *Data System necessary to implement this section.*

34 (e) *The department shall implement the links from the Automated*  
35 *License Data System Online License Service Internet Web site by*  
36 *January 1, 2015, if it determines that date is feasible.*